

 <b>KENTUCKY CORRECTIONS</b> Policies and Procedures	Policy Number	Total Pages
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	May 14, 2008	September 5, 2008
References/Authority KRS 196.035, 197.020 ACA 4-4020, 4-4021 and 4-4022, P & P ACA 3-3027, 3-3028, and 3-3029	Subject  <b>NEWS MEDIA</b>	

## I. POLICY and PROCEDURES

- A. A request by a representative of the news media to visit an institution, probation and parole office, or community center shall be permitted and encouraged unless the Warden, District Supervisor, or Community Center Coordinator determines that a visit constitutes a clear and present danger to the security of the facility, unreasonably interferes with the orderly administration of the facility, or endangers the safety of the reporter.
- B. Arrangements for an interview and visit by a representative of the media shall be made in advance and have a specified goal in mind; however, the official in charge may allow a visit without prior arrangement if sufficient personnel are present and conditions are otherwise appropriate for the requested visit. The Central Office Public Information Officer (PIO) shall be notified prior to making these arrangements. Private prison and community center administrators shall notify the Central Office PIO prior to making a statement to the news media concerning Corrections policy issues.
- C. Interviews and Photographs
  1. A media representative may be permitted to interview an inmate or someone under supervision of probation and parole in a state correctional facility if the individual gives his written consent to be interviewed for a stated purpose, without compensation.
    - a. If the media representative does not wish to interview a specific individual, or if he wishes to interview various inmates or someone under supervision on a general subject, the Corrections official in charge shall work with the reporter in deciding which individuals are willing to be interviewed.
    - b. Portable tape or video recorders may be used by media representatives during an interview.
  2. A representative of the media may take photographs of specific parts of the correctional facility that are directly related to a particular news story;

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however, inmates and someone under supervision have the right not to be photographed.

- a. If a news photographer wishes to photograph an inmate or someone under supervision in an identifiable manner, Corrections' Release Forms shall be made available for written consent. (See Attachment I.)
- b. High security areas, control centers, control panels, and any other area designated by the Warden for safety or security reasons shall not be photographed.

#### D. Dissemination of Information

1. Responsibility for information dissemination shall be shared by Central Office, institutional, and community services administrators throughout the system. The Central Office PIO shall be responsible for disseminating news releases regarding Corrections policy, changes in executive personnel, or other policy or program decisions affecting statewide operations. A press release generated at the local office or institutional level shall be approved by the central office PIO before it is disseminated, unless it pertains to an extraordinary incident that occurs outside normal working hours or is of a routine nature including employee of the month or promotion announcements. These releases shall be approved by the institutional Warden or district supervisor prior to release. In these instances, the press release shall be sent to the central office PIO as soon as possible after being released to the media.
2. Institutional PIO's shall be responsible for the announcement of an escape, disturbance, accident, and fatal or severe assault to the local news media as promptly as possible. Every effort shall be made to notify families of inmates that are involved in the emergency prior to release of information to the media. Names of involved staff shall not be released to the media until designated next of kin or family is notified. Prior to notifying the media, a telephone report shall be made to Adult Institutions. Adult Institutions shall then notify the central office PIO.
3. Although trained PIO's shall normally serve as the media spokesperson, occasionally other Corrections employees may be asked to respond to media interview requests. The respondent shall stay within the limits of his authority and area of expertise, and shall answer questions as honestly and concisely as possible. An administrator shall not hesitate to direct a reporter to the appropriate source or the central office PIO if the subject matter shifts to a topic beyond his area of expertise. The central office

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PIO shall respond to media inquiries directed to the Commissioner's Office.

4. A correctional employee shall notify the central office PIO in advance if the employee has made arrangements for a personal interview or media coverage of a special event. If advance notification is not possible, in the case of an on-the-spot interview, the employee shall notify the central office PIO immediately following the interview.
5. The central office PIO shall be informed of all correspondence sent to, or received from, a representative of the news media.
6. Clippings from area newspapers pertaining to Corrections, institutions, or probation and parole activities shall be forwarded immediately to the central office PIO. If the article involves a breaking news event, the article shall be faxed to the public information office.
7. This CPP shall be made available to media representatives upon request, or if the employee dealing with the media representative determines that dissemination is beneficial.

#### E. Release of Information

1. The institutional PIO shall report to the news media, as soon as possible, an escape, incident of serious violence, riot, or other disturbance that results in fatalities, major injuries, major property damage, or other serious disruption of prison operations.
2. The following information about an inmate, parolee, probationer, or other releasee may be provided to the news media:
  - a. Name;
  - b. Age;
  - c. Date of birth;
  - d. Physical description;
  - e. Sex;
  - f. County where crime was committed;
  - g. Crime;
  - h. Sentence;
  - i. Prison transfers (dates and locations only);
  - j. Disciplinary information (incident and penalty);
  - k. Institutional work assignments;
  - l. Prior DOC incarceration; and
  - m. Release eligibility.

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3. Information regarding the psychiatric, medical, or juvenile criminal histories of an inmate shall not be released except in compliance with KRS 610.015, 610.320, 610.340, and 635.120.
4. Photographs of inmates may be copied by the news organization at the institution or at Offender Information at the central office.
5. Media inquiries that involve issues such as disciplinary actions, litigation, or other sensitive personnel matters regarding staff shall be referred to Corrections Personnel.

F. Procedures during Emergency Conditions

Admittance of media representatives to a correctional facility may be denied or limited during an emergency situation, including an escape, disturbance, fire, or natural disaster; however the news media may be granted access to the facility once it is determined that access will not jeopardize the security or safety of any person.

1. Media Staging Areas - A pre-designated area shall be established for the media to use as a staging area during an emergency condition. This area shall be as close to the emergency scene as possible without inhibiting the resolution of the situation. The institutional PIO shall fax or e-mail to the Associated Press and local media outlets, as soon as possible, the location of the media area. News media representatives shall be directed to the staging area upon their arrival.
2. Press Briefings - A briefing location for the media shall be established near the staging area. The news media shall be advised of developments by frequent, not less than once every two (2) hours, news briefings held in the designated briefing location. Fact sheets or printed briefing sheets shall be prepared and distributed at each briefing if possible. A final briefing shall be held as soon as possible after the emergency situation is resolved. This briefing shall contain summary information.
3. Media Pools - A media pool may be formed to enter the correctional facility if it is determined that doing so will no longer jeopardize the security or safety of any person. This pool shall be allowed to go as close to the scene of the disturbance as possible without unduly aggravating the situation. Every effort shall be made to allow the media to use their equipment while serving as a pool reporter. The media pool shall be chosen from those media representatives assembled at the staging area with the selections made by those media representatives present. The

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media pool shall consist of not more than one (1) representative from each of the following groups:

- a. A representative from the county where the news event occurred;
  - b. A representative from the television broadcast media;
  - c. A representative from the radio broadcast media;
  - d. A representative from the print media; and
  - e. A still photographer.
4. Media Agreement - Selected media shall agree to ensure all news material generated by the media pool shall be made available to all media without right of first publication or broadcast.

## KENTUCKY DEPARTMENT OF CORRECTIONS

## RELEASE FORM

The undersigned does hereby consent to be photographed or interviewed by \_\_\_\_\_ for the exclusive purpose of \_\_\_\_\_

\_\_\_\_\_. The undersigned further understands the photographs may include filming of any kind, and the interview may include a recording thereof, and both may be used either in whole or part for this purpose. The undersigned also waives any rights that he may have to inspect or approve the finished product prior to its use or publication in connection with the stated purpose, including the right to collect any type of compensation.

Furthermore, the undersigned does hereby release, discharge and agree to hold harmless the Kentucky Department of Corrections, its employees, agents and servants, from claims for damage for libel, slander, invasion of the right of privacy or other claim based on the use of the material.

The above consent is given by the undersigned, freely and voluntarily, without promises, threats, coercion or duress.

Dated \_\_\_\_\_ Signed \_\_\_\_\_

Address \_\_\_\_\_

Witnessed by \_\_\_\_\_

Title \_\_\_\_\_

(A staff member of the Kentucky Department of Corrections shall witness all releases.)

Original – Office/Institution  
Yellow – Inmate/Client  
Pink – Media Representative  
Gold – Central Office/P.I.O.